

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUL 1 1975
 Returned to applicant for correction JUL 14 1975
 Corrected application filed JUL 25 1975
 Map filed JUL 1 1975

The applicant Kenneth G. Garey and Jean Ridpath Garey
P. O. Box 6, BBQ Ranch, of Lathrop Wells
Street and No. or P.O. Box No. City or Town
Nev 89020, hereby make application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is an existing well and pump.
Name of stream, lake or other source.
2. The amount of water applied for is maximum of 25 Ac. Ft./Yr. 0.16 second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated) five acres
 - (b) Stockwater (state number and kinds of animals to be watered)
 - (c) Other use (describe fully under "No. 12. Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point: in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Sec. 9, T.16S., R.49E., MDM, at a point bearing N 10° 02' 24" W a
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
distance of 1010.80 feet from the South $\frac{1}{4}$ corner of said Sec. 9
it should be stated.
6. Place of use the West one-half (W $\frac{1}{2}$) of the Southeast one-quarter (SE $\frac{1}{4}$)
Describe by legal subdivision, if on unsurveyed land it should be so stated.
of the Southeast one-quarter (SE $\frac{1}{4}$) of the Southwest one-quarter
(SW $\frac{1}{4}$) of Section 9, T.16S., R.49E., M.D.M., Nye County, Nev.
7. Use will begin about January 1st and end about December 31st, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) gated irrigation pipe

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$300.....
10. Estimated time required to construct works.....one week.....
11. Estimated time required to complete the application to beneficial use.....one week.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Kenneth G. Garey & Jean Ridpath Garey

By s/ Elwyn G. Wilkinson
2038 Palm Street, Space 240

Compared ga/mm lk/bs

Las Vegas, Nevada 89104

Elwyn G. Wilkinson

State Water Right Surveyor

APPROVAL OF STATE ENGINEER Certificate No. 437

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the final determination of litigation pending in the United States District Court for the District of Nevada styled United States of America vs. Francis Leo Cappaert, et al., Civil - LV 1687.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.16 cubic feet per second but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before June 16, 1976

Proof of commencement of work shall be filed before July 16, 1976

Work must be prosecuted with reasonable diligence and be completed on or before June 16, 1977

Proof of completion of work shall be filed before July 16, 1977

Application of water to beneficial use shall be made on or before June 16, 1978

Proof of the application of water to beneficial use shall be filed on or before July 16, 1978

Map in support of proof of beneficial use shall be filed on or before July 16, 1978

Commencement of work filed JUN 11 1976

Completion of work filed JUN 11 1976

Proof of beneficial use filed JUL 20 1978

Cultural map filed JUL 20 1978

Certificate No. 9204 Issued 9-20-78

Recorded Bk. Page

County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 16th day of December,

A.D. 1975

State Engineer